



99-2-13911-4 3188681 NTIS 04-28-03

OF WASHINGTON - COUNTY OF PIERCE RECEIVED  
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A.M. MAR 22 2001 P.M.  
PIERCE COUNTY WASHINGTON  
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BY \_\_\_\_\_ DEPUTY  
MESSINA LAW FIRM

JOSEPH J. KIRBY and DEBORAH A. KIRBY,  
husband and wife,  
Plaintiff(s)  
vs.  
THE CITY OF TACOMA, ET. AL.  
Defendant(s)

Case No. 99-2-13911-4

NOTE FOR TRIAL SETTING  
FILED  
IN COUNTY CLERK'S OFFICE  
A.M. MAR 16 2001 P.M.  
PIERCE COUNTY WASHINGTON  
TED RUIT, COUNTY CLERK  
BY \_\_\_\_\_ DEPUTY

TO THE CLERK OF THE SUPERIOR COURT AND TO:

Name: Jeffrey Sadler Attorney For: Plaintiffs  
Address: 5316 Orchard Street West, Tacoma, WA 98467  
Phone: (253) 472-6000

(Please note additional attorneys on reverse side)

This case is at issue, and not subject to Mandatory Arbitration under the provisions of MAR 1.2, and is requested to be placed on the regular trial assignment calendar:

DATE REQUESTED FOR ASSIGNMENT  
OF TRIAL DATE  
Friday, March 30, 2001

Nature of case: Civil  
Date filed: 12/20/99 Estimated trial time: 10 days  
A jury of (six/twelve) persons (has ~~not~~) been demanded.  
Dated: 3/15/01 Signed: \_\_\_\_\_  
Name: Shelley M. Kerslake Attorney for: Defendants  
Address: 747 Market Street, Suite 1120, Tacoma, WA 98402  
WSB # 21820 Phone: (253) 591-5885

THE ABOVE INFORMATION MUST BE COMPLETED AND SIGNED

FOR CLERK'S USE ONLY

Z-2949a Assigned to: \_\_\_\_\_ Date: \_\_\_\_\_ By: \_\_\_\_\_

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ENTERED  
ON DOCKET

MAR 14 2001

BY DEPUTY *Chaz*

<i>Chaz</i> FILED	LODGED
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MAR 14 2001	
CLERK OF DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT TACOMA	

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JOSEPH J. KIRBY and DEBORAH A.  
KIRBY, husband and wife,

Plaintiff,

v.

THE CITY OF TACOMA, et al,

Defendant.

Case No. C00-5332 FDB

ORDER REMANDING CASE

This case was removed to federal court on June 6, 2000. The basis for federal jurisdiction was the plaintiff's claim for relief under 42 U.S.C. §1983. On March 5, 2001, the court approved the parties' stipulated order for dismissal of the federal claim. The dismissal of the federal claim destroyed the basis for federal jurisdiction and the court declines to maintain jurisdiction over the remaining state law matters.

THEREFORE IT IS HEREBY ORDERED: this case is remanded to Pierce County Superior Court.

DATED this 14 day of March, 2001.

*Franklin D. Burgess*

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FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE

ORDER - 1

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